

PENDING MOTIONS

The only pending motion is Defendants' Partial Motion to Dismiss for Failure to State a Claim (D.I. 14).

RELATED CASES IN THIS JUDICIAL DISTRICT

There are no related cases in this district or any other district.

IPR, CBM, AND OTHER PGR FILINGS

There are no known IPR, CBM, or other PGR filings at this time.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff has asserted four patents and an estimated total of 33 claims but reserves the right to increase or decrease the number of asserted claims in its preliminary infringement contentions. The asserted patents are U.S. Patent Nos. 8,941,137, 8,952,405, 9,502,612, and 9,786,822. Plaintiff has not yet completed and served its preliminary infringement contentions.

APPOINTMENT OF TECHNICAL ADVISOR

If the Court believes that a technical advisor would assist the Court with claim construction and other technical issues, the Parties are amenable to the appointment of one. Otherwise, the Parties do not request that a technical advisor be appointed at this time but may request that a technical advisor be appointed at a future date.

MEET AND CONFER STATUS

Plaintiff and Defendants met and conferred and have the following pre-*Markman* issues to raise at the CMC:

Plaintiff requests early targeted discovery into the issue of willful infringement, which would include a limited set of RFPs, Interrogatories, and a deposition. Defendants oppose Plaintiff's request for early discovery because Defendants' Motion is based on the pleadings and early discovery is not warranted under the Court's July 24, 2021 Order Governing Proceedings – Patent Case.

Dated: July 27, 2021

/s/ Bradley D. Liddle

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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on July 27, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing on all counsel of record.

Bradley D. Liddle